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September 14, 2012

Lynden Dorval

Mr. Dorval:

**Re: Termination of Employment**

By letter dated May 18, 2012, I suspended you from your teaching duties. It was my hope that the shock of being suspended after a long career would lead you to seriously contemplate the wisdom of your behaviour over the prior several months, which was repeatedly insubordinate, unprofessional, and in disregard of lawful orders made by the principal. I expected that you would promise to reform your behaviour and apologize to the principal.

Unfortunately this was not to be the case. On August 24, 2012, I received a recommendation report from Principal Ron Bradley and Assistant Superintendent Mark Liguori, recommending the termination of your contract of employment.

That recommendation chronicles repeated acts of insubordination, unprofessional conduct, and refusal to obey lawful orders subsequent to your suspension.

My letter of suspension contained two clear directives: first, that you were to return all district property to the Principal immediately; and second, that you were not to enter Ross Sheppard School or its grounds without the Principal's permission. The recommendation report discloses that you promptly disobeyed both directives.

**Your Actions in Relation to the First Directive**

Despite my directive that you immediately return all district property, you retained a large number of unmarked student exams. In particular, the Principal discovered the following:

On June 5, 2012, the Ross Sheppard Science Department Head was advised by the teacher who replaced you that Unit C exams for your two Physics 30 classes were missing. The students had been complaining about not getting back these exams as they were preparing for an upcoming Physics 30

diploma exam. The students' concerns were somehow picked up by an intern with CHED Radio. The intern emailed an assistant principal of Ross Sheppard School on June 6, 2012, advising that she had interviewed you and that you admitted that you had student exams and other work at your home. Principal Bradley therefore wrote to you on June 6, 2012 and directed you to return all district property in your possession immediately. It took you the next seven days to fully comply.

#### **Your Actions in Relation to the Second Directive**

You went to Ross Sheppard School three times to deliver exams and other materials after Principal Bradley's demand for their return. The school had advised you that it would arrange for COD courier to have all these materials returned. I conclude that you chose to ignore this arrangement in order to intentionally disobey my directive.

#### **Other Actions of Concern**

The recommendation report also discloses that Principal Bradley discovered that most of the students' exams you had unlawfully retained were unmarked. Principal Bradley found it shocking that you would have such disregard for your students. You knowingly kept these unmarked exams with full knowledge that the results of the exams would greatly assist the students in preparing for the Physics 30 diploma exam. In fact, I would have expected such important exams to have been marked and returned within the seven days between the date the students wrote them and your suspension. Knowingly retaining them for another three weeks is inexcusable. This is a serious failing.

The teacher replacing you for Science 20 advised the science department head that he was alarmed to discover that you had not even started the last unit, leaving insufficient time to properly cover the unit. Assistant Superintendent Mark Liguori received an email from parents of a student in this class expressing their grave concern about this.

#### **Decision**

On Monday, September 10, 2012, I convened a hearing for purposes of allowing you to make representations regarding the recommendation report. In the hearing, you admitted refusing to attend regular staff meetings, and recommenced attendance only after the Alberta Teachers' Association advised you that this was your professional responsibility. You also admitted that you intentionally refused to use behaviour codes as directed by Principal Bradley. You stated in the hearing that you did not believe that he had the authority to direct you to use behaviour codes, and admitted that if he did have such authority then you were guilty of refusing to obey a lawful directive.

In the hearing, you displayed a cavalier attitude towards me, and contempt for Principal Bradley. At one point you said that you had considered retiring after your suspension in May, but decided instead to do nothing as you liked the idea of getting a couple of months more pay because of the time it would take to convene the hearing, and the *School Act* requirement that you be given one month's paid notice of termination. You created the impression that you were enjoying getting paid for doing nothing.

During the hearing, you made comments on most of the allegations in the recommendation report. None of your comments provided a reasonable excuse for any of your behaviours. Most of your comments were irrelevant to the substance of the meeting. In particular you offered no reasonable explanation for not having marked the Physics 30 Unit exams and for retaining them at your home for a month. In the hearing, you showed no remorse for your behaviour and demonstrated no concern

whatsoever for the impact your actions had on the students. Based on your statements and behaviour in the hearing, I can only conclude that you simply did not care whether your actions hurt the students academically. I find this to be the most serious of all the issues your case presents.

Given that you offered no evidence to disprove or put in doubt any of the allegations in the recommendation report, I can only conclude that those allegations are true. As all of the allegations leading to your suspension were also proven at that hearing, and formed part of the termination recommendation as well, there is ample evidence to warrant your termination.

As you did not offer anything that would excuse your behaviour or mitigate the seriousness of your actions, I have sadly concluded that after a long career with Edmonton Public Schools, you intentionally chose to be fired and have chosen to do so very publicly, for reasons I find difficult to comprehend.

You are hereby given 30 days' notice of termination of your contract of employment as a teacher with Edmonton Public Schools, as required by section 107(1) of the *School Act*. You will be paid during this notice period as required by section 107(6) of the *School Act*. The termination becomes effective as of October 15, 2012.



Edgar Schmidt  
Superintendent of Schools

ES:cv

cc: Mark Liguori, Assistant Superintendent  
Ron Bradley, Principal, Ross Sheppard School  
Employee file